

20-885

The Secretary of State presents his compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Mission and has the honor to transmit new and consolidated information concerning the Department's policies associated with the establishment of a consular post headed by an honorary consular officer, as well as the appointment of and accreditation of such personnel in the United States and its territories.

This note supersedes the Department's note No. 16-1281, dated August 23, 2016, and circular diplomatic note dated August 6, 2003, regarding this topic.

The Department's Office of Foreign Missions (OFM) holds the authority and responsibility for approving the establishment of consular posts in the United States, including those headed by honorary consular offices, as well as the appointment of honorary consular officers.

The requirements stated in the enclosed handbook are consistent with the Vienna Convention on Consular Relations and promulgated to ensure the Department's confidence that proposed honorary consular officers will:

- exercise meaningful consular functions on a regular basis; and

- come under the supervision of, and be accountable to, the government which he or she represents.

Questions concerning this matter should be directed to OFM at
honoraryconsul@state.gov.

This policy is also available at: <https://www.state.gov/honorary-consular-officers-posts/>.

Enclosure:

As stated.

Department of State,

Washington, June 17, 2020. *MS*



OFFICE OF FOREIGN MISSIONS
U.S. DEPARTMENT OF STATE

Honorary Consulate Policy Handbook

HONORARY CONSULATE POLICY HANDBOOK
OFFICE OF FOREIGN MISSIONS
June 17, 2020

Table of Contents

I. Overview	3
II. Requesting OFM Approval to Appoint an Honorary Consular Officer	3
A. Circumstances Requiring OFM Approval.....	3
B. Information Required Regarding Location and Duties	3
C. Information Required Regarding the Proposed Honorary Consular Officer	4
D. Department Review.....	5
III. Upon OFM Approval.....	5
IV. Renewing Appointment.....	6
V. Changes to Premises or Consular District.....	6
VI. Other Staff Members.....	7
VII. Termination of Appointment	7

I. Overview

Pursuant to Article 68 of the Vienna Convention on Consular Relations (VCCR), the United States receives honorary consular officers. The Department of State's Office of Foreign Missions (OFM) holds the authority and responsibility for approving the establishment of consular posts in the United States, including those headed by honorary consular officers, as well as the appointment of honorary consular officers.

OFM has prepared this handbook to disseminate to embassies and consulates the Department's rules regarding the appointment of honorary consular officers, and the opening of a consular post headed by an honorary consular officer. This document supersedes the Department's note No. 16-1281, dated August 23, 2016, and diplomatic circular note dated August 6, 2003, regarding this topic. The information below shows the new policy (italicized) and also restates the policies that remain in effect.

The requirements stated herein are consistent with the VCCR and promulgated to ensure the Department that the proposed honorary consular officer will (1) exercise meaningful consular functions on a regular basis and (2) come under the supervision of, and be accountable to, the government which he or she represents.

II. Requesting OFM Approval to Appoint an Honorary Consular Officer

A. *Circumstances Requiring OFM Approval*

Embassies must submit a diplomatic note to request approval from OFM to:

- *establish a new consular post headed by an honorary consular officer;*
- *appoint a new honorary consular officer to replace another at an existing consular post;*
- *relocate and accredit an existing honorary consular officer as staff at a consular post headed by a career consular officer; or,*
- *appoint an honorary vice consul as additional staff at an existing consular post headed by an honorary consular officer.*

B. Information Required Regarding Location and Duties

The note must contain a detailed justification for the request, to include, at a minimum, the following:

- 1) The city and state of the proposed consular post.
 - a. *Include both the address of the proposed consular premises and the residence of the proposed honorary consular officer, respectively.*
- 2) The consular district for the proposed consular post.
- 3) Describe in detail the primary and secondary responsibilities of the proposed honorary consular officer.

- 4) The duties which the proposed honorary consular officer is not permitted by the sending State to perform.
- 5) The mission (embassy or consular post headed by a career consular officer) responsible for supervising and providing assistance as needed for the proposed honorary consular officer.
- 6) The number of hours per week the honorary consular officer is expected to perform consular duties.
- 7) The location of the consular archives and premises, e.g.:
 - a. at the honorary consular officer's private residence;
 - b. at the honorary consular officer's commercial office space; or.
 - c. at a separate premises to be used exclusively for the exercise of consular functions.

Please clarify if any of the above locations are leased or owned by the sending State's government, or by the proposed nominee him/herself.
- 8) Provide any additional information that should be taken into account by the Department of State when reviewing this application.

OFM does not permit the establishment of a consular post headed by an honorary consular officer in any metropolitan area where the sending State already has an existing diplomatic mission or consular post.

C. Information Required Regarding the Proposed Honorary Consular Officer

The Department retains the discretion to determine whether an individual is acceptable to the United States as an honorary consular officer, whether as the head of a post, or as additional staff at a consular post headed by another honorary consular officer, holding title of honorary vice consul or support staff, or as staff, holding title of consular employee, at a consular post headed by a career consular officer.

Proposed appointees may not perform consular functions or present themselves as an honorary consular officer until OFM has accredited the individual as an honorary consular officer heading a consular post. Furthermore, proposed appointees may not contact OFM directly to inquire about the status of the review process.

To be eligible for appointment as an honorary consular officer, and to retain such status, a person must:

- (1) be a U.S. citizen or lawful permanent resident (LPR);
- (2) not hold an office of profit or trust with the U.S. government or a position with a state, county, or other municipality of the United States which is considered by such entity to be incompatible with the duties of an honorary consular officer;
- (3) obtain permission from the Secretary of the Department concerned, if he or she holds a commission as a Reserve Officer in any branch of the U.S. Armed Forces;
- (4) *reside full-time within the boundaries of the metropolitan area where the embassy is requesting representation; and*
- (5) be age 21 or over.

Consequently, in addition to the information requested in section II.B. above, the embassy must submit to OFM:

- proof of the appointee's U.S. citizenship (i.e., copy of U.S. passport) or LPR status (i.e., copy of permanent residence card) and,
- the appointee's current resume or CV.

The Embassy is encouraged to highlight the connection that the proposed appointee has had with its country or culture.

OFM expects that foreign governments will seek to nominate individuals of good standing and reputation in the community.

Missions may submit a request to accredit an honorary vice consul at a consular post headed by an honorary consular officer. However, the Department does not permit the establishment of a consular post headed by an honorary vice consul, irrespective of whether it is in the same or different metropolitan area of an existing consular or diplomatic post. All criteria mentioned above apply equally to the nomination of an honorary consul and an honorary vice consul.

D. Department Review

The Department will review the complete application package as described above and provide its approval or denial in a diplomatic note to the Embassy.

III. Upon OFM Approval

If approved, OFM will request the Embassy submit a Notification of Appointment (NoA), along with a *passport-sized color photo with a light background*, via eGov for the proposed honorary consular officer. The Embassy should not submit a NoA until after OFM has given its approval to do so.

Once accepted, the individual will be accredited as an honorary consular officer and admitted to the exercise of functions.

OFM accredits honorary consular officers with the title of "Honorary Consul" or "Honorary Vice Consul". The use of other titles to describe an honorary consular officer is strictly prohibited. Honorary consular officers must observe the distinction in the Vienna Convention on Consular Relations (VCCR) between "career" and "honorary" consular officers by using the correct title, letterhead, business cards, and submissions to local consular directories in order to avoid confusing constituents and to avoid the appearance of deliberate misrepresentation of their status under the VCCR.

OFM will mail an identification card to the residential address of the newly appointed honorary consular officer. The reverse of the card confirms that as an honorary consular officer, the individual enjoys immunity from the jurisdiction of the judicial or administrative authorities of the United States in respect to official acts performed in the exercise of consular functions.

The term of recognition for an honorary consular officer is 3 years. Please see section IV below for procedures regarding renewing an honorary consul's appointment.

To facilitate protection of the consular premises in accordance with Article 59 of the VCCR, appropriate signs must clearly designate which area is being used exclusively for the purposes of the consular post. Further, in accordance with Article 61 of the VCCR, the consular archives and documents shall be inviolable, provided they are kept separate from other papers and documents and, in particular, from the private correspondence of the head of the consular post and of any person working with him or her, and from the materials, books, or documents relating to their profession or trade.

IV. Renewing Appointment

At a minimum of 30 days prior to the expiration of the identification card, the Embassy should submit a request to renew the honorary consul's identification card, and attach in eGov the following:

- a diplomatic note that reaffirms the honorary consular officer's duties;
- an updated resume or CV, including but not limited to current employment;
- *an updated passport-sized color photo with a light background; and,*
- confirmation of both the duty and current residential addresses. *Enclosing a copy of the driver's license or other documentation to confirm the current residential address is encouraged.*

Identification card renewal requests may be made up to *three months prior* to the card's expiration. If an identification card renewal request is not made within *three months* of the card's expiration, OFM will withdraw the status of the honorary consular officer, consider the consular post closed, and notify the Embassy accordingly.

V. Changes to Premises or Consular District

Changes in the address for the premises of a consular post are subject to approval by OFM prior to performing consular functions from a new location. *Such changes must be requested by the Embassy via diplomatic note to OFM. (Please note that submission of a "Notification of Change - Duty" through eGov is not sufficient for these purposes and will be rejected]. Please include the proposed address, as well as the full name and the residence address of the honorary consular officer in the diplomatic note to OFM requesting to relocate the premises.*

Requests for changes to the consular district of a consular post headed by an honorary consular officer are also subject to approval by OFM and must be made via diplomatic note to OFM from the Embassy.

VI. Other Staff Members

If the Embassy wishes to post a U.S. citizen or LPR as support staff at a consular post headed by an honorary consular officer, it must notify OFM by submitting a NoA via eGov, accompanied by a diplomatic note attached to the NoA, outlining the expected duties of the individual. *Staff other than Honorary Consuls and Honorary Vice Consuls* will not enjoy official acts immunity and will not receive identification cards.

VII. Termination of Appointment

The Embassy must submit a Notification of Termination (NoT) via eGov upon the termination of the appointment by the sending State. The embassy may contemporaneously propose a replacement for the honorary consular officer, following instructions in section II above. If a replacement is not proposed within six months of termination, the consular post will be deemed closed by OFM.